



December 21, 2004



Providence man charged with firearms offense; He allegedly retrieved a gun from an impounded car

Ellis Penn, of Providence, has been charged with being a felon in possession of a firearm for allegedly retrieving a gun from the trunk of a car that Providence Police had impounded.

United States Attorney Robert Clark Corrente, Colonel Dean Esserman, Chief of the Providence Police Department, and Thomas Wlodyka, Acting Resident Agent in Charge of the Providence Office of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), jointly announced a complaint, which was filed in U.S. District Court, Providence, on November 15.

On June 15, according to an ATF affidavit supporting the complaint, Providence police officers stopped a vehicle on Cranston Street for a traffic infraction. After determining that the driver's license had been suspended and the vehicle's registration had expired, officers arrested the driver, released a passenger who had been riding in the car, and had the vehicle towed.

Later that same day, police received information that there was a firearm in the trunk of the impounded vehicle and that the passenger who had been released, later identified as Penn, was planning to retrieve the gun from the car. Gun Task Force officers retrieved the gun, a 9 millimeter pistol, removed the ammunition, made the gun inoperable, and replaced it in the trunk. They then observed Penn enter the tow yard, open the trunk of the vehicle and remove the

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firearm. After he tucked the gun into this waistband and started to leave the tow yard, officers arrested Penn.

Penn, 24, of 8 Carter Street, appeared yesterday before Magistrate Judge Lincoln D. Almond and was ordered detained pending further proceedings. Because the charge against Penn is a felony, it is subject to review by a federal grand jury. A complaint is merely an allegation and a defendant is presumed innocent unless and until proven guilty.

Providence Police and ATF investigated the case. A joint review of the case by the U.S. Attorney's Office and the Rhode Island Attorney General's Office resulted in the federal prosecution. Assistant U.S. Attorney Lee H. Vilker is prosecuting it as part of Project Safe Neighborhoods, a Department of Justice initiative against gun crimes. Under Project Safe Neighborhoods, the U.S. Attorney's Office, working with Providence Police, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Rhode Island Attorney General's Office, and other agencies, aggressively prosecutes federal firearms offenses in an effort to incarcerate those responsible for gun violence and deter others from committing gun crimes. Since 2001, federal firearms prosecutions in Rhode Island have more than doubled and gun offenders have been sentenced to a total of more than 550 years in federal prison.

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